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December 31, 2007

The Honorable Phyllis J. Hamilton
United States District Court Judge
Courtroom 3, 17th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Baykeeper v. Granite Rock Company (C-07-01550 PJH)

Dear Judge Hamilton:

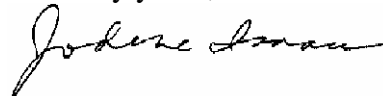
The parties in the above-referenced action have entered into a proposed Settlement Agreement fully resolving this matter.

Pursuant to the requirements of 40 C.F.R. § 135.5, on December 31, 2007, a copy of this Settlement Agreement has been sent to the Department of Justice and the Environmental Protection Agency via certified mail. Please note that 40 C.F.R. § 135.5 provides that any agreements not be entered prior to 45 days after receipt by these agencies. Allowing five business days for normal delivery of mail to these agencies, the Settlement Agreement should not be entered prior to February 22, 2008.

We will send the Settlement Agreement to the court after the 45 day review period has passed and confirm at that time that the agencies have reviewed the Settlement Agreement. In the meantime, the parties request that you vacate all further proceedings in this matter.

If you have any questions or comments concerning any of the above please contact me at the above telephone number or address. Alternatively, I can be reached at the following email address: jisaacs@enviroadvocates.com. Thank you for your attention to this matter.

Sincerely yours,



Jodene Isaacs

1/4/08

